

REMARKS

This Response is submitted in reply to the Office Action dated November 18, 2003. The specification has been amended. Claim 18 stands allowed. Claims 1, 8, 13, 14, 15, 19, 20, 21, 24 and 25 have been amended. New Claims 27 to 38 have been added. No new matter has been added by any of the amendments made herein. A Petition for a Three-Month Extension of Time to respond to the Office Action, a Terminal Disclaimer and a Supplemental Information Disclosure are submitted herein. A check in the amount of \$1628 is submitted herein to cover the cost of the three-month extension, the Terminal Disclaimer, the Supplemental Information Disclosure Statement and the newly added claims. Please charge Deposit Account No. 02-1818 for any insufficiency or to credit and overpayment.

On October 20, 2003, Examiner Steven Ashburn contacted the undersigned to clarify that the Sphinx reference appears to describe a pick again game but does not appear to disclose or teach a win group outcome. Applicant has not received and interview summary record on this telephone interview.

In the Office Action, Claims 8, 9, 11, 13 to 15 and 24 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 to 72 of U.S. Patent No. 6,439,995 in view of the Canonical List of TPIR Pricing Games ("the Price is Right Games") and United Kingdom Patent Application No. 2,144,644 to Barrie ("Barrie"). Applicants are submitting a Terminal Disclaimer with this Response as indicated above to overcome these rejections in view of U.S. Patent No. 6,439,995. Accordingly, the rejection of Claims 8, 9, 11, 13 to 15 and 24 should be withdrawn.

Claims 1 to 7, 9, 12, 16, 17, 21 to 23, 25 and 26 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 to 72 of U.S. Patent No. 6,439,995 in view of the Price is Right Games, Barrie and in further view of U.S. Patent No. 6,159,098 to Slomiany ("Slomiany"). As described above, Applicants are submitting a Terminal Disclaimer to overcome these rejections. Accordingly, the rejection of Claims 1 to 7, 9, 12, 16, 17, 21 to 23, 25 and 26 should be withdrawn.

Claims 8, 9, 11, 13 to 15 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sphinx brochure ("Sphinx") in view of the Price is Right Games and Barrie. Applicants respectfully disagree with this rejection. Nevertheless, Applicants have amended the claims to include a win-group outcome having a change group outcome which changes the group of symbols selectable by the player based on the change group outcome associated with the win-group outcome if the player picks the symbol including the win-group outcome as discussed during the telephone interview conducted on January 22, 2004.

Amended Claim 8 is directed to a gaming device having a bonus game including a plurality of groups of symbols, a plurality of bonus values associated with the symbols and at least one win-group outcome associated with at least one of the symbols in at least one of the groups where the win-group outcome includes a change group outcome and a plurality of bonus values associated with the symbols in the group. The gaming device also includes at least one termination outcome associated with at least one of the symbols in at least one of the groups. The gaming device includes a display device which displays the symbols and a processor in communication with the display device. The processor enables a player to select at least one symbol in one of the groups, provides the player with any bonus values associated with the selected symbols, provides the player with the win-group outcome if the player picks the symbol including the win-group outcome, changes to another of the groups of symbols based on the change group outcome associated with the win-group outcome and repeats the above process for the another group if the player picks the symbol including the win-group outcome and terminates the bonus game if the termination outcome is associated with one of the selected symbols.

As discussed during the telephone interview conducted on January 22, 2004, the combination of Sphinx, the Price is Right Games and Barrie does not disclose, teach or suggest a win-group outcome which includes a change group outcome that changes to another of the groups of symbols based on the change outcome associated with the win-group outcome if the player picks the symbol including the win-group outcome. The cited combination further does not disclose, teach or suggest any win-group outcomes which provide a plurality of bonus values to the player and also performs another

function such as changing to another of the groups of symbols. For each of these reasons, the combination of Sphinx, the Price is Right Games and Barrie does not disclose, teach or suggest the elements of amended Claim 8. Therefore, amended Claim 8 and Claims 9 and 11, which depend from amended Claim 8, are each patentably distinguished over the combination of Sphinx, the Price is Right Games and Barrie and are in condition for allowance.

Amended Claim 13 is directed to a gaming device having a bonus game including a plurality of groups of symbols, a plurality of bonus values associated with the symbols and at least one win-group outcome associated with at least one of the symbols in at least one of the groups where the win-group outcome includes a change group outcome and a plurality of bonus values in the group. The gaming device also includes at least one separate change group outcome associated with at least one of the symbols in at least one of the groups, a display device which displays the symbols and a processor in communication with the display device. The processor enables a player to select at least one symbol in one of the groups, provides the player with the bonus values associated with the selected symbols, provides the player with the win-group outcome if the player picks the symbol including the win-group outcome, changes to another of the groups of symbols based on the change group outcome associated with the win-group outcome and repeats the above process for the another group if the player picks the symbol including the win-group outcome and changes to another group based on the change group outcome associated with at least one of the symbols and repeats the above process for the another group when the separate change group outcome is associated with the selected symbol.

As described above, the combination of Sphinx, the Price is Right Games and Barrie does not disclose, teach or suggest a win-group outcome that provides a plurality of bonus values to a player and also performs another function such as changing to another of the groups of symbols. For at least these reasons, amended Claim 13 and Claim 14, which depends from Claim 13, are each patentably distinguished over the combination of Sphinx, the Price is Right Games and Barrie and are in condition for allowance.

Amended Claim 15 is directed to a gaming device having a bonus game including a plurality of groups of symbols, a plurality of bonus values associated with the symbols, and at least one win-group outcome associated with at least one of the symbols in at least one of the groups where the win-group outcome includes a change group outcome and a plurality of bonus values in the group. The gaming device also includes a termination outcome associated with the symbols or bonus values associated with the symbols in at least one group. The gaming device further includes a memory device which stores the bonus values, the win-group outcomes and the termination outcome, a display device which displays the symbols and a processor in communication with the memory device and the display device. The processor enables a player to select at least one symbol in one of the groups, provides the player with the bonus values associated with the selected symbols, provides the player with the win-group outcome if the player picks the symbol including the win-group outcome, changes to another one of the groups of symbols based on the change group outcome associated with the win-group outcome and repeats the above process for the another group if the player picks the symbol including the win-group outcome and terminates the bonus game when the termination outcome occurs. As described above, the combination of Sphnix, the Price is Right Games and Barrie does not disclose, teach, or suggest a win-group outcome that provides a plurality of bonus values to a player and also performs another function such as changing the group of symbols which is selectable by the player. For at least these reasons, amended Claim 15 is patentably distinguished over the combination of Sphnix, the Price is Right Games and Barrie and is in condition for allowance.

Amended Claim 24 is directed to a gaming device having a bonus game including a plurality of selection groups, a plurality of symbols in each selection group, a plurality of bonus values associated with the symbols in each selection group and at least one win-group outcome associated with one of the symbols in each selection group where each win-group outcome in each selection group includes a change group outcome and all the bonus values associated with the symbols in the selection group. The gaming device also includes at least one termination outcome associated with one of the symbols in each selection group, a display device which displays the selection

groups and the symbols and a processor in communication with the display device. The processor enables a player to select at least one symbol in one of the selection groups, provides the player with any bonus values associated with the selected symbols, provides the player with the win-group outcome if the player picks the symbol including the win-group outcome, changes to another of the selection groups based on the change group outcome associated with the win-group outcome and repeats the above steps for the another selection group if the player picks the symbol including the win-group outcome and terminates the bonus game if the termination outcome is associated with one of the selected symbols.

As described above, the combination of Sphinx, the Price is Right Games and Barrie does not disclose, teach or suggest such elements. For at least these reasons, Claim 24 is patentably distinguished over the combination of Sphinx, the Price is Right Games and Barrie and is in condition for allowance.

Claims 1, 10, 12, 21 to 22, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sphinx, the Price is Right Games, Barrie and in further view of U.S. Patent No. 6,159,098 to Slomiany ("Slomiany"). Applicants respectfully disagree with this rejection. Nevertheless, Applicants have amended the claims to include a win-group outcome having a change group outcome which changes the group of symbols based on the change group outcome associated with the win-group outcome if the player picks the symbol including the win-group outcome as discussed during the telephone interview conducted on January 22, 2004.

Amended Claim 1 is directed to a gaming device having a bonus game including a plurality of groups of symbols, a plurality of bonus values associated with the symbols and at least one win-group outcome associated with at least one of the symbols in at least one of the groups where the win-group outcome includes a change group outcome and a plurality of bonus values associated with the symbols in the group. The gaming device also includes at least one termination outcome associated with at least one of the symbols in at least one of the groups. The gaming devices further includes an achievement outcome, a display device which displays the symbols and a processor in communication with the display device. The processor enables a player to select at least one symbol in one of the groups, provides the player with any bonus values

associated with the selected symbol, provides the player with the win-group outcome if the player picks the symbol including the win-group outcome, changes to another of the groups of symbols based on the change group outcome associated with the win-group outcome and repeats the above process for the another group if the player picks the symbol including the win-group outcome, terminates the bonus game if the player picks any symbol having the termination outcome and provides the player with the achievement outcome if the player picks at least one symbol in each of the groups without picking any symbol having the termination outcome.

As described above, the combination of Sphnix, the Price is Right Games and Barrie does not disclose, teach or suggest the elements of amended Claim 1. Therefore, for at least these reasons, the combination of Sphnix, the Price is Right Games, Barrie and Slomiany does not disclose, teach or suggest the elements of amended Claim 1. Therefore, amended Claim 1 and Claims 2 to 7, which depend from amended Claim 1, are each patentably distinguished over the combination of Sphnix, the Price is Right Games, Barrie and Slomiany and are in condition for allowance.

Amended Claim 21 is directed to a gaming device having a bonus game including a plurality of selection groups, a plurality of symbols in each selection group, a plurality of bonus values associated with the symbols in each selection group, and at least one win-group outcome associated with one of the symbols in each selection group where each win-group outcome includes a change group outcome and at least one of the bonus values associated with the symbols in each selection group. The gaming device also includes an achievement bonus value, a display device which displays the selection groups and the symbols and a processor in communication with the display device. The processor enables a player to select at least one symbol in one of the groups, provides the player with the bonus values associated with the selected symbols, provides the player with the win-group outcome if the player picks the symbol including the win-group outcome, changes to another of the selection groups based on the change group outcome associated with the win-group outcome and repeats the above process for the another selection group if the player picks the symbol including the win-group outcome and provides the achievement bonus value to the player if the

player selects at least one symbol in each of the selection groups without obtaining a termination outcome in the bonus game.

Amended Claim 21 includes similar elements to amended Claim 1 and amended Claim 8. Therefore, for at least the reasons provided above for Claims 1 and 8, the combination of Sphnix, the Price is Right Games, Barrie and Slomiany does not disclose, teach or suggest the elements of amended Claim 21. Accordingly, amended Claim 21 and Claim 22, which depends from amended Claim 21, are each patentably distinguished over this combination and are in condition for allowance.

Amended Claim 25 is directed to a method of providing a bonus game in a gaming device where the method includes the steps of triggering a bonus game, displaying a plurality of groups of symbols to a player, associating a plurality of bonus values with the symbols and associating at least one win-group outcome with at least one of the symbols in at least one of the groups. The method also includes the steps of associating a change group outcome and a plurality of the bonus values in the group with a win-group outcome and enabling the player to select at least one symbol in one of the groups. The gaming device then provides a player with any bonus values associated with the selected symbols, provides a player with the win-group outcome associated with the selected symbol if the player picks the symbol including the win-group outcome, changes to another of the groups of symbols based on the change group outcome associated with the win-group outcome if the player picks the symbol including the win-group outcome and repeats steps (a) to (i) until the player picks a symbol having an associated terminator. The method also provides an achievement bonus to the player if the player picks one of the symbols in each of the groups without selecting a symbol having an associated terminator in any group.

As described above, the combination of Sphnix, the Price is Right Games and Barrie does not disclose, teach or suggest a win-group outcome that includes a plurality of bonus values and a change group outcome that changes the group of symbols selectable by the player. Therefore, the combination of Sphnix, the Price is Right Games, Barrie and Slomiany does not disclose, teach or suggest the elements of amended Claim 25. Accordingly, amended Claim 25 and Claim 26, which depends

from amended Claim 25, are each patentably distinguished over this combination and are in condition for allowance.

The Patent Office objected to Claim 20 and indicated that Claim 20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New Claim 27 includes the elements of independent Claim 15, dependent Claim 17 and objected to Claim 20. Accordingly, Applicants respectfully submit that new Claim 27 and Claims 28 to 31, which depend from Claim 27, are in condition for allowance

New Claim 32 is a method claim including the elements of allowed Claim 18. Accordingly, Applicants respectfully submit that new Claim 32 and Claims 33 to 38, which depend from Claim 32, are each patentably distinguished from the cited art and are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such act is courteously solicited. If the Examiner has any questions regarding this response, Applicants respectfully request that the Examiner contact the undersigned attorney.

Respectfully submitted,

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